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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 UNITED STATES OF AMERICA, )  
15 Plaintiff, )  
16 v. )  
17 JENNIFER XIAO, )  
18 Defendant. )  
19 \_\_\_\_\_ )

No. 3-12-71319-MAG  
STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING TIME PURSUANT  
TO FED. R. CRIM. P. 5.1 AND 18 U.S.C.  
§ 3161(h)

20 The parties, by and through counsel, stipulate and agree as follows:

21 1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until January 18,  
22 2013.

23 2. Counsel for the United States and the defendant wish to exchange certain information,  
24 and to meet and confer prior to the time of Indictment to discuss a potential resolution of the  
25 case. Counsel for the defendant believes based on the charge alleged in the Complaint that it is  
26 in the best interest of the defendant to obtain further information, consult with the defendant, and  
27 meet with the government prior to Indictment; counsel for the government believes that it is in  
28 the interests of justice to do so. The parties agree that extending the time limits of Rule 5.1

1 serves the ends of justice and outweighs the interests of the public and the defendant in a speedy  
2 trial, and that failing to extend the time limits would deny counsel for the government and the  
3 defendant the reasonable time necessary for effective preparation, taking into account the  
4 exercise of due diligence. 18 U.S.C. § 3161(h)(7).

5 3. The next court appearance in this case shall be January 18, 2013, at 9:30 am before  
6 the duty magistrate in San Francisco, for preliminary hearing or indictment. The parties may  
7 seek further extension of the time limits in Rule 5.1(c) by stipulation.

8 SO STIPULATED AND AGREED,

10 DATED: 1/2/2013

MELINDA HAAG  
United States Attorney

/s/

\_\_\_\_\_  
JOHN H. HEMANN  
Assistant United States Attorney

15 DATED: 1/2/2013


/s/

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CHARLES SMITH  
Counsel for Jennifer Xiao

**[PROPOSED] ORDER**

19 Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. § 3161(h)(7), IT IS SO  
20 ORDERED.

22 DATED: January 3, 2013

  
\_\_\_\_\_  
LAUREL BEELER  
United States Magistrate Judge